

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:12-cv-24-RJC**

THIS MATTER is before the Court sua sponte regarding the filing of Defendants' "Motion To Dismiss for Failure to State a Claim," (Doc. No. 22), on November 5, 2012.

In accordance with Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), the Court advises Plaintiff, who is proceeding pro se, that he has a right to respond to Defendants' motion. The Court also advises Plaintiff that failure to respond may result in Defendants being granted the relief they seek, that is, the dismissal of the Complaint.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff shall respond to the pending “Motion To Dismiss for Failure to State a Claim,” (Doc. No. 22), within 14 days of entry of this Order. Failure to file a timely and persuasive response will likely lead to the dismissal of this lawsuit.
2. The Clerk of Court is directed to send a copy of this Order to the pro se Plaintiff by certified U.S. mail, to the following address: Central Prison, 1300 Western Boulevard, 4285 MSC, Raleigh, NC 27699-4285.

Signed: November 20, 2012

Robert J. Conrad, Jr.

Robert J. Conrad, Jr.
Chief United States District Judge

